

IN THE CLAIMS

Please cancel claims 27 and 28, without prejudice or disclaimer thereof, and replace claims 13, 17, 18, 19, 21, 23, 24, 25, and 26 with the rewritten versions of the claims that follow below. In accordance with 37 C.F.R. § 1.21(c)(1), a marked-up version of the claims is set forth at the end of this response under the heading "Marked-up Version of the Claims."

13. (Once amended) A method for identifying a cancer cell comprising:

(a) providing a tissue biopsy sample; and

(b) determining the level of expression in said sample of the protein

consisting of the amino acid sequence:

MAAEEGPVGDGELWQTLPLNHVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVFLGGELFLWDGE
DSSFLVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEG
GKSTVNCSTTPVAERFFTSSTSLTLKHAAYWPSEILDPHVLLTSDNVIRIYSLREPQTPTNVIILSEAEESL
VLNKGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVAYPLYILYENGETFLTYISLLHSPGNIWKAVGS
IAHASAAEDNYGYDACAVLCLPCVPNILVIATESGMLYHCVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVE
LELALKLASGEDDPFSDSFPCVKLHRDPKCPSTRYHCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDSLQELSTE
QKCFVEHILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECCLIWPLLSTVHPASPPLLCTREDVEVAESS
LRVLAETPDSFEKHRSILQRSVANPAFLKASEKDIAAPPEECQLLSRATQVFREQYILKQDLAKEEIQRRVK
LLCDQKKKQLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKKLLHSFHSSELPVLSDSERDMKKELQ
LIPDQLRHLGNAIKQVTMKKDYQQQKMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVN
F,

wherein a sample comprising said protein at a level of expression that is greater than non-cancer cells indicates that said sample comprises a cancer cell.

17. (Once amended) The method of claim 13, wherein the step of determining the level of expression of said protein consisting of said amino acid sequence comprises binding an antibody to said protein.

18. (Once amended) The method of claim 13, wherein the step of determining the level of expression of said protein consisting of said amino acid sequence comprises annealing of a nucleic acid binding molecule specifically to a nucleic acid transcript encoding said protein.

19. (Once amended) The method of claim 17, wherein said antibody is a

B3 monoclonal antibody directed against said protein.

B4 21. (Once amended) The method of claim 17, wherein said antibody is a chimeric protein.

23. (Once amended) A diagnostic kit comprising a protein binding molecule, wherein the protein binding molecule binds to the protein consisting of the amino acid sequence:

MAAAEGPVGDELWQTLPNHVVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVFGGLGGELFLWDGED
SSFLVVRRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEGGK
STVNCSTTPVAERFFTSSTSLTLKHAAWYPSEILDPHVLLTSDNVIRIYSLREPQTPTNVIILSEAEESLVLN
KGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYILYENGETFLTYISLLHSPGNIWKAVGSIAHA
SAAEDNYGYDACAVLCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVELELAL
KLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDSLQELSTEQKCFVE
HILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPPLLCREDVEVAESSLRVLAET
PDSFEKHRSILQRSVANPAFLKASEKDIAPPPEECLQLLSRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKK
QLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHL
GNAIKQVTMCKDYQQQKMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF.

24. (Once amended) A diagnostic kit comprising a nucleic acid, wherein the nucleic acid anneals specifically to a nucleic acid transcript that encodes the protein consisting of the amino acid sequence:

MAAAEGPVGDELWQTLPNHVVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLTRNVVFGGLGGELFLWDGED
SSFLVVRRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQHHVALIGIKGLMVLELPKRWGKNSEFEGGK
STVNCSTTPVAERFFTSSTSLTLKHAAWYPSEILDPHVLLTSDNVIRIYSLREPQTPTNVIILSEAEESLVLN
KGRAYTASLGETAVAFDFGPLDAVPKTLFGQNGKDEVVAYPLYILYENGETFLTYISLLHSPGNIWKAVGSIAHA
SAAEDNYGYDACAVLCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVELELAL
KLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAGVHSVGLTWIHKLHKFLGSDEEDKDSLQELSTEQKCFVE
HILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHPASPPLLCREDVEVAESSLRVLAET
PDSFEKHRSILQRSVANPAFLKASEKDIAPPPEECLQLLSRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKK
QLEDLSYCREERKSLREMAERLADKYEEAKEKQEDIMNRMKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHL
GNAIKQVTMCKDYQQQKMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF.

B5 25. (Once amended) The kit of claim 23 further comprising in whole or in part, the protein consisting of said amino acid sequence, for use as a control sample.

26. (Once amended) The kit of claim 24 further comprising in whole or in part, the protein consisting of said amino acid sequence, for use as a control sample.